

STUDENT DISCIPLINARY POLICY AND PROCEDURES

Introduction

1. The purpose of the policy is to promote compliance with the college Code of Conduct, so that students and staff can work in a safe and considerate environment that supports learning.
2. The Code of Conduct is set out in both the Student Handbook and College Diary. Staff are given guidance in promoting student compliance in the Staff Handbook, and by their Head of House as part of their normal duties in upholding college policies and practices.
3. Disciplinary procedures can be summarised in four stages, details of which are set out below:
 - a. Advice and Guidance
 - b. Formal referral to Head of House (Stage 1)
 - c. Formal Warning (Stage 2)
 - d. Exclusion (Stage 3)
4. A copy of this document will be issued to the student and parent/guardian at the point of formal referral (Stage 1).

Disciplinary Procedure for Students

a. Advice and Guidance

If a student is in breach of the code of conduct this is normally dealt with by teacher or tutor using appropriate actions such as:

- oral reprimand
- requiring the student to attend extra lessons
- removing items causing disturbance for the duration of the lesson
- cleaning or tidying an area if damaged or mistreated
- barring from college visits
- meeting with Subject Leader or Head of Faculty to agree work deadlines
- advice from tutor or Head of House
- withdrawal of privileges, e.g. study leave, parking permit
- placing the student on a study card
- letter to parent/guardian

Whilst much of this guidance is informal and aimed at encouraging the student to take responsibility for his/her actions, the teacher/tutor should keep a record of such incidents and keep the Head of House informed.

b. Formal Referral to Head of House - STAGE 1

In persistent or more serious cases of breaching the code of conduct, a student will, by agreement between the tutor and Head of House, be formally referred to the Head of House. It is important to distinguish between the tutor asking a Head of House to have an informal supporting word with a student, or to give advice on an issue, and the FORMAL referral of a case to the Head of House as Stage 1 of the formal disciplinary procedure.

At Stage 1 the parent/guardian of the student will be notified. Sanctions that a Head of House may apply include those listed in 'Advice and Guidance' above; placing a student on Review or a contract of work or behaviour; or sending a student home to collect work or to change or repair clothing.

c. Referral to Senior Management (Assistant Principal) - STAGE 2 (FORMAL WARNING)

If a student is persistently in breach of the college code of conduct, a STAGE 2 interview with a Senior Manager will follow and a FORMAL WARNING will be given.

It is possible, in cases of very serious misconduct, for a student to be referred straight to Stage 2. Examples of this would be physical violence, theft of property, possession of illegal substances, or defiance of a member of staff. In these cases parents will always be involved and sanctions include those already described above; a contract of work or behaviour; a "cooling off" suspension if appropriate; or referral to Stage 3.

d. STAGE 3 - EXCLUSION HEARING

In the most serious cases the Principal will intervene, either:

- a) if a student refuses to respond to a formal Stage 2 warning having been referred on from the earlier stages of the policy set out above; or
- b) a case of gross misconduct is referred directly to the Principal.

At this stage an EXCLUSION HEARING will be held with the student and with the parent/guardian in attendance, where possible, the outcomes of which can include:

- i. a formal warning under Stage 2, using any of the sanctions previously mentioned above;
- ii. final contract of conduct;
- iii. fixed term exclusion;
- iv. permanent exclusion;
- v. re-admission following a fixed term exclusion.

N.B. In cases where the student's presence in the college is considered to be a risk to the well-being of the college community, the Principal or another member of SMT in her absence, can exclude the student before the interview takes place.

A final contract of conduct should make the consequences of non-compliance clear to the student.

e. THE APPEALS PROCESS

A student or parent/guardian, if the student is under 18, can APPEAL against a fixed term or permanent exclusion and the notice of appeal must be lodged with the Principal within ten working days of the date of the notification of the outcome.

The grounds of the appeal are that:

- i. There was a serious breach of the college's procedures that may have adversely affected the outcome.

- ii. New evidence has come to light that was not available at the exclusion hearing and could be expected to materially influence the outcome. Where this occurs, the evidence must be provided to the college together with an explanation as to why it was not provided earlier.
- iii. The findings were unreasonable in the light of the facts.
- iv. The penalty imposed was too severe in the circumstance.

After receiving a notice of appeal, the Principal will arrange to see the appellant, with the appropriate member of SMT, and, if the matter still cannot be satisfactorily resolved, will explain that there is a right of appeal to the Governing Body which can be exercised by writing to the Chairman of the Governing Body at the college address. The student will be expected to attend the appeals procedure at this and any ensuing stage.

If the matter still cannot be resolved to the satisfaction of the appellant, there is a right of appeal to the Appeals Panel of the Governing Body. The membership of that panel shall be determined for the occasion by the Chairman of the Governing Body, who will also act as Chairman or appoint another Chairman. Where possible it shall be made up of three of the four members of the standing Appeals Panel, which shall consist of the Chairman of the Governing Body, the parent governor, the staff governor and a Foundation Governor.

The Appeals Panel will hear submissions from the Principal and the appellant and shall have the right to question either of them and any other person involved in the matter under review. The Appeals Panel shall make its decision known as soon as it reasonably can.

When a student has exhausted the college's appeals procedure, the student has the right to make a complaint to the LSC. A complaint is not a further stage of appeal.

F&GP Committee

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